

2434

ISA OU #3 DISPUTES
U.S. DOE FERNALD
OH6 890 008 976

03-15-91

USEPA/DOE-FO
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LETTER



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

2434

REPLY TO ATTENTION OF:

MARCH 5, 1991

5HR-12

Jack Craig
United States Department of Energy
Feed Materials Production Center
FMPC Remedial Action
Project Manager
P.O. Box 398705
Cincinnati, Ohio 45239-8705

Re: ISA OU #3 Disputes; U.S.
DOE Fernald, OH6 890 008 976

Dear Mr. Craig:

This letter is to confirm the dispute resolution which the United States Environmental Protection Agency (U.S. EPA) reached with the United States Department of Energy (U.S. DOE) on March 1, 1991. That resolution is embodied in the attached letter and was negotiated and agreed upon by both U.S. EPA and U.S. DOE. While U.S. EPA fully anticipates that the attached letter will be signed by U.S. DOE, U.S. EPA reserves the right to issue a separate position letter if U.S. DOE changes the position outlined in the attached letter.

Thank you for your cooperation in resolving these disputes.

Sincerely,

Catherine McCord
Remedial Project Manager



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.

CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF:

DEC 18 1990

Mr. Andrew P. Avel
United States Department of Energy
Feed Materials Production Center
P.O. Box 398705
Cincinnati, Ohio 45239-8705

5HR-12

RE: OU#1 ISA Dispute
U.S. DOE - Fernald
OH6 890 008 976

Dear Mr. Avel:

On November 13, 1990, the United States Environmental Protection Agency (U.S. EPA) disapproved a revised proposed Initial Screening of Alternatives (ISA) report for Operable Unit (OU) #1. Since this was the second disapproval, U.S. EPA invoked dispute resolution in accordance with Section XII of the 1990 Consent Agreement.

A dispute resolution conference call and meeting were held on November 28, 1990, and December 2, 1990, respectively. Because the initial thirty days of dispute resolution is ending and the dispute is not settled, U.S. EPA is providing this written statement of the dispute as required by Section XIV.A of the 1990 Consent Agreement.

A copy of this letter is being provided to the Dispute Resolution Committee, as required by Section XIV.D of the 1990 Consent Agreement. This dispute involves the adequacy of the revised draft ISA Report for OU#1. U.S. EPA's position on the deficiencies of this document were outlined in detail in U.S. EPA's November 13, 1990, letter (Attachment).

U.S. EPA is optimistic that the details regarding a settlement can be worked out at the next level of dispute resolution in the prescribed twenty-one (21) days, if U.S. DOE revises the proposed report in accordance with changes mutually agreed to in our December 2, 1990, meeting.

DEC 14 1990

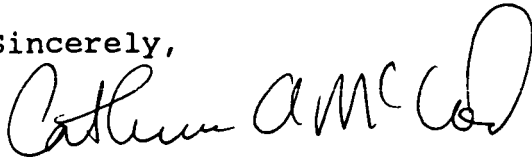
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Please contact me at (312/FTS) 886-4436, if you have any questions.

Sincerely,



Catherine A. McCord
Remedial Project Manager

Attachment

cc: Richard Shank, OEPA
Graham Mitchell, OEPA-SWDO
Leo Duffy, U.S. DOE - HDQ
~~Joe LaGrone, U.S. DOE - ORO~~
Bobby Davis, U.S. DOE - Fernald

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